

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 IFTIKHAR AHMAD, :
 Plaintiff, :
 :
 -against- :
 :
 HARTFORD LIFE AND ACCIDENT :
 INSURANCE COMPANY, :
 :
 Defendants. :
 -----X

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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: May 9, 2011

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court has considered Plaintiff's letter of March 1, 2011 and Defendant's letter of March 4, 2011 regarding their discovery disputes. Defendant's objection to Nurse Cobb's deposition is overruled. With respect to the 80 reports prepared by Drs. Eaton and Podrid that Plaintiff requests, the Court finds that, at this stage, such a production would be unduly burdensome. As a result, the Court sustains Defendant's objection.

The Court is, however, mindful that it should consider a conflict of interest as "a factor in determining whether the plan administrator has abused its discretion in denying benefits." Metropolitan Life Ins. Co. v. Glenn, 554 U.S. 105, 108 (2008). As a result, Defendant is directed to produce a summary chart regarding the 80 requested reports. After reviewing the chart, if the Court determines that the alleged conflict of interest is plausible, the Court will reconsider its decision to sustain Defendant's objection. Such a chart must include (1) the date of the report, (2) the nature of the claim (including the type of claim and the ailment allegedly suffered by the patient), (3) the name of the reviewing physician, (4) the reviewing physician's opinion, and (5) the benefit determination made by Defendant. If the report is in the initial or appeal review

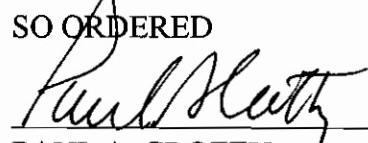
phase, this should be noted. Each report is to be given a unique identifying number so that, if necessary, each entry on the chart may be traced back to each report. The chart should be formatted as below¹:

ID Number	Date of Report	Nature of Claim	Reviewing Physician	Reviewing Physician's Opinion	Benefit Determination
1	4/3/2009	Disability / Coronary Artery Disease	Eaton	"Functional with restrictions and limitations."	Denied
2	3/29/2010	Disability / Coronary Artery Disease	Podrid	"Capable of returning to full time consistent work at a sedentary level." "Able to function normally from day to day."	Denied

Dated: New York, New York

May 5, 2011

SO ORDERED



PAUL A. CROTTY

United States District Judge

¹ The listed examples relate to the reports attached to Defendant's letter.